

No. 23-15992

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

FEDERAL TRADE COMMISSION,
Plaintiff-Appellant,

v.

MICROSOFT CORP., and
ACTIVISION BLIZZARD, INC.,
Defendants-Appellees.

On Appeal from the United States District Court
for the Northern District of California
No. 3:23-cv-2880
(Hon. Jacqueline Scott Corley, U.S. Distr. J.)

**FEDERAL TRADE COMMISSION'S NOTICE
OF ERRATA CONCERNING REPLY BRIEF**

On September 27, 2023, Appellant, the Federal Trade Commission (FTC), filed a sealed motion, pursuant to Circuit Rule 27-13, for leave to file under seal its Reply Brief and Volume 2 of its further excerpts of record in this proceeding. Dkt. Entry 93. The Court's docket indicates submission of the Reply Brief for review as Docket Entry 96. The sealed Reply Brief included **red highlighting** of text passages needing to be redacted when the Court instructs the FTC to prepare and file a public version of the Reply Brief.

On September 29, 2023, the FTC notified the Court that the FTC had determined that a short passage of text in the Reply Brief should have been highlighted for future redaction but was not. The Court instructed the FTC to submit via email an updated brief that included the highlighting of the passage and to serve the same on the parties. The FTC submitted and served the updated brief today, October 2, 2023, and has received notice that the Court has attached it to the FTC's original submission in Docket Entry 93.

Respectfully submitted,

ANISHA S. DASGUPTA
General Counsel

MARIEL GOETZ
Acting Director of Litigation

Dated: October 2, 2023

/s/ Mark S. Hegedus
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CERTIFICATE OF SERVICE

I certify that on October 2, 2023, I filed the foregoing Notice of Errata with the Court's appellate CM/ECF system. Counsel for defendants-appellees are registered users of the Court's appellate CM/ECF system. I further certify that an electronic copy of the foregoing was emailed to counsel for defendants-appellees at their registered email addresses.

Date: October 2, 2023

/s/ Mark S. Hegedus

MARK S. HEGEDUS

Attorney

FEDERAL TRADE COMMISSION